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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212477
Party	Defendant GFA Brands, Inc.
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Submission	Request for Oral Hearing
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Date	03/27/2015
Attachments	GFA's Request for Oral Hearing and Joint Request Re Scheduling.pdf(11323 bytes )



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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In the Matter of Application Serial No. 85/751,520: EARTH BALANCE  
Published for Opposition March 19, 2013

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BALANCE BAR COMPANY,

Opposer,

Opposition No. 91212477

v.

GFA BRANDS, INC.,

Applicant.

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**APPLICANT'S REQUEST FOR ORAL HEARING  
AND JOINT REQUEST REGARDING SCHEDULING**

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Pursuant to 37 C.F.R. § 2.129(a) and TBMP § 802.02, Applicant, GFA Brands, Inc., requests an oral hearing in the above-captioned proceeding. Additionally, the parties jointly request that the schedule for this oral hearing be coordinated with the oral hearing in two related consolidated oppositions. Specifically, counsel for the parties have conferred and jointly request that this oral argument be combined with the oral argument that has yet to be scheduled in the SMART BALANCE consolidated opposition, Opposition Nos. 91196954 and 91197748. The parties make this joint request because they believe it will promote judicial economy and save both the Board and the parties the time and expense of two separate hearings. In the event that separate panels will be selected to hear each proceeding, the parties request that both oral hearings be held on the same day. To the extent the Board is amenable to a joint hearing, the parties request that the Board extend the length of the hearing to a time the Board feels is appropriate to address both marks, pursuant to TBMP § 802.05.



**WHEREFORE**, the parties respectfully request that the Board combine oral argument for both the EARTH BALANCE and SMART BALANCE oppositions and allow additional time for each party or, in the alternative, issue a notice of hearing scheduling both oral hearings for the same day at which such oral arguments may be had.

Dated: March 27, 2015

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Dated: March 27, 2015

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 27, 2015, I served upon counsel of record the foregoing by causing the same to be delivered by U.S. mail and email to:

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Dated this 27<sup>th</sup> day of March, 2015.

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